



Commissioner's Assistant Handbook



**U.S. Nuclear Regulatory Commission
Office of Human Resources
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I. Introduction

The Nuclear Regulatory Commission consists of five Commissioners, appointed by the President with the advice and consent of the Senate, and supported by a technical staff located in Rockville, Maryland, and in four Regional Offices. Commissioners normally serve 5-year terms, with one term beginning every July 1. The President designates one of the Commissioners to serve, at the pleasure of the President, as Chairman.

The Chairman and Commissioners are supported by personal staffs which may include scientists, engineers, lawyers and administrative staff. The services of Commissioner's Assistants (CAs) contribute substantially to the effectiveness of the Commissioner. In turn, the experience gained by the CAs during these assignments can be career-enhancing for the individual as well as of significant value to the agency. As of the writing of this handbook, approximately one-half of all those who had previously served as CAs and were still in the agency had progressed to SES positions. This handbook addresses the selection, appointment, career development, and subsequent agency service of Commissioner's Assistants.¹

¹The term "Commissioner's Assistant" is used generically in this handbook to refer to all members of a Commissioner's immediate staff, including administrative, technical, legal, and special assistants.

II. Ground Rules

Service at the Commissioner's Pleasure

A Commissioner is accorded wide latitude in his or her selection of a support staff. Historically, Commissioners have shown considerable variation in their method of selection, the seniority and technical background of their selectees, and whether the selectees were asked to serve a full 5 years or a more limited portion of the Commissioner's term. This variation is as it should be, because it reflects a Commissioner's prerogative to create a staff that will best support his or her individual goals, areas of interest, and mode of operation.

For example, a Commissioner unfamiliar with the day-to-day workings of the NRC might wish to select one or more very senior individuals as CAs—particularly a technical or legal selectee who will serve as the Commissioner's executive assistant. On occasion, past Commissioners have even requested the service of an existing member of the SES as a CA, to provide the level of experience and knowledge of agency precedent that can ease the transition for a new commissioner, as well as improve efficiency in the review and decision-making process. On the other hand, another Commissioner might want to choose technical assistants with recent direct inspection experience (and thus slightly less senior), but request highly experienced legal and administrative assistants.

Similarly, one Commissioner might select a staff entirely from within the NRC career staff, while another might choose several CAs from outside the agency (e.g., from the industry, a university, a national lab, or another government agency). Some Commissioners prefer the continuity that comes with having all CAs serve the Commissioner's entire term; others choose to reserve one or more of the CA positions for short- or long-term rotations by the career staff.

Because of this variability, a newly selected CA (as well as individuals who aspire to become CAs), should make the effort to become thoroughly familiar with the nuances of serving on a Commissioner's staff including the concept of Limited Appointment, the personnel policies that govern a CA's return to career staff, and—perhaps most importantly—the individual Commissioner's expectations and desires. This initial understanding will be extremely helpful in gaining an appreciation for the benefits that can come with the CA position, avoiding misconceptions about CA-related personnel practices, and assisting the individual in planning his or her short- and long-term career path.

The NRC Limited Appointment

Commissioners are accorded wide latitude in the selection of their personal staffs. This is to ensure that they have unfettered opportunity to select individuals in whom they repose their full trust and confidence. Federal personnel laws have long since recognized that this is necessary, and have provided the requisite flexibility in the Federal appointment process. In the competitive service, this

flexible authority is called a Schedule C appointment. Individuals appointed under this authority do not have career status or tenure in the civil service. They serve at the pleasure of the official who appointed them. Their Federal employment usually terminates when their services are no longer required by the official who appointed them, or when that official leaves office.

The NRC uses an analogous appointment authority called the NRC Limited Appointment. In many respects it is similar to the Schedule C authority. Individuals appointed under this authority serve at the pleasure of the Commissioner who selects them. Their service with the Commissioner ends when he or she no longer needs their assistance, or when the Commissioner's term ends.

Re-Employment of NRC Career Employees

The NRC Limited Appointment differs in one important aspect from ordinary Schedule C appointments. The technical expertise Commissioners routinely seek to obtain on their immediate staffs is often best found within the NRC career staff. To facilitate the movement of career staff members to the immediate office of a Commissioner, the NRC Limited Appointment preserves the employment tenure of career status members selected for service in a Commissioner's office. While service in that office is "limited" by the pleasure and the term of the appointing Commissioner, the career employee selected for that service retains the right to career employment in the NRC staff following service on the Commissioner's staff.

This right of career re-employment has some limits. In order to maintain the fundamental principles of merit selection and equal opportunity, advantages in the career service must be won through open competition. As a result, the CA only retains the re-employment right to a position equivalent in grade to the grade earned before appointment to the Commissioner's staff.

This vital point should be understood by all prospective CAs, because such an appointment, if held for a sufficient length of time, could actually result in the CA being behind his or her peers (in terms of career path) when returning to a staff position.²

²For instance, if a GG-14 career employee is non-competitively appointed and serves 5 years in a CA position (during which time he or she might be promoted by the Commissioner to a GG-15 or even Senior Level (SL) rank), he or she would only be guaranteed an equivalent GG-14 position on returning to the staff, while other GG-14 peers might have advanced to GG-15, SLS, or SES positions during the same period.

Saved Pay

It is not uncommon for CAs to be promoted at the time of their appointment, and also during the course of serving on the Commissioner's staff. These promotions are not maintained upon return to the career staff. Nevertheless, CAs return to the staff with enhanced skills and qualifications, and, due to the inherently skill-building character of service on a Commissioner's staff, return even better equipped than before to make effective contributions to the agency's mission. Historically, these enhanced skills have made former CAs highly competitive and consistently successful as competitive candidates for positions at higher levels than the grades they held before appointment to a Commissioner's staff. The agency has

taken the view that, in the interval between return from the Commission and winning competitive advancement, CAs who have served at least one year in that capacity should retain their salary level under regular “saved pay” procedures.

Non-Career Employees

Individuals hired from outside the NRC for positions on a Commissioner's immediate staff also receive Limited Appointments, and serve at the pleasure of the applicable Commissioner. However, when their services are no longer required, or when the Commissioner's term ends, their right to employment with the NRC ends. They are free to seek follow-on positions in the agency, but acquire no right to continued employment. In order to facilitate their transition to other employment within the NRC, the agency can retain them on the payroll for an additional 120 days beyond their formal status as a CA.

III. Identifying Candidates for Commissioner's Assistant Positions

The paths to service on the immediate staff of a Commissioner are through self-nominations, recommendations from Office Directors and the EDO (both unsolicited and solicited by the Commissioner), and direct, individual invitations from the Commissioner. Individuals identified through these processes are selected for appointment solely at the discretion of the Commissioner on the basis of his or her personal confidence in the ability of the individual to meet his or her needs. This is entirely in keeping with the duties and responsibilities of a Commissioner and the role of a CA. While there is some natural element of competition in these processes, they are not equally available to all qualified seekers in the relevant population (e.g., the NRC staff), and therefore are not considered merit-based competitions in the context of the career Federal service. For this reason, CA appointments do not confer direct, permanent career advancement. The method of selection is entirely at the discretion of the Commissioner.

Self-Nomination

Many individuals, both from within and outside the agency, take the initiative to offer their services directly to a Commissioner, most frequently near or at the time a Commissioner takes office. These individuals typically submit resumes either directly to the Commissioner, or to someone they perceive to be a useful intermediary. Because the Commissioner usually finds it convenient to have these resumes or applications collected in one place for further consideration, the Office of Human Resources (HR) maintains a repository for statements of interest from employees interested in offering their services to a Commissioner. Any Commissioner or Commissioner-designate may review, or request that a representative review, such statements of interest, as well as related NRC career history information supplied to the Commissioner by HR, at any time. Employees may provide updates to their statements of interest that are already on file with HR, or they may submit new statements of interest during opportunities specified by HR.

Direct Nominations by Office Directors and the EDO

Commissioners may request direct nominations from the EDO, Office Directors, and other senior agency officials. Historically, this has been especially common in the case of Technical Assistants.

Direct, Individual Invitation

Commissioners may also take the initiative to invite individuals directly to serve on their immediate staffs.

IV. Joining a Commissioner's Staff

A prospective CA has usually already answered some fundamental questions: What is my long-term goal? Do I see myself remaining in the NRC? Do I want to be a supervisor or manager? A senior technical expert? An administrative specialist in a specific field? Most employees answer and re-answer these questions throughout their careers. Ideally, the prospective CA has spelled out the most current answers to these questions in an Individual Development Plan (IDP). The objective is to integrate experience as a CA into this basic plan.

Career planning of this nature should not be done in isolation, but rather in consultation with managers, supervisors, mentors, and other advisors. This consultation is crucial at the time of transition to a CA assignment, in order to develop an expectation of what the future will hold both during and after the assignment. The Commissioner, the prospective CA, and the staff managers who will make personnel decisions during and after the assignment period should have the same set of expectations. The IDP serves as an excellent vehicle to document and communicate these expectations. It should include, for example, such considerations as whether the prospective CA plans to apply for career positions targeted in the IDP if they become vacant during his or her tenure with the Commissioner.

In addition to establishing an IDP, the prospective CA should give serious consideration to forming a mentoring relationship with an official at the division director level or above within the office or region to which he or she plans to return. HR can facilitate this relationship if desired. The mentor would be in a position to provide information and advice on the career development impact of events as they unfold in the program area, and could suggest specific career development activities, such as training courses or rotational assignments, that could enhance the CA's qualifications for future assignments in the office or region.³

³For very senior individuals selected as CAs, the "mentoring" nature of this relationship (in the sense of career development and career advice) may be unnecessary. However, the CA may still desire to maintain one or more contacts of this sort for periodic updates on staff policy and practice, areas of significant change, and predictions on future staffing requirements (particularly in the career staff office to which he or she plans to subsequently return).

For all concerned, the plan and set of expectations often flow from one key question: how long will the assignment be? The answer will vary, depending on the Commissioner's needs, the CA's specific duties, the CA's long-term career goals, and the agency's needs.

A prospective Technical Assistant should expect to make a commitment of at least 2-3 years, and some stay through the Commissioner's entire term. Legal and Administrative Assistants may be even more likely to stay the full term.

These considerations should be discussed by the prospective CA both with his or her current managers and with the Commissioner. The goal, again, is to reach a common set of expectations. Such

expectations can provide a sound foundation for a successful tour of duty as a CA and a smooth re-entry to the career staff.

V. Career Development as a Commissioner's Assistant

While the primary purpose of serving as a CA is clearly to assist the Commissioner, a CA assignment offers a unique opportunity to acquire skills and abilities that can make a substantial contribution to the agency and can have a profound influence on career progression. For that reason, explicit attention should be given to the career development aspects of the assignment. Both the individual and the agency have a large stake in the outcome. The individual has a great interest in translating experience as a CA into long-term career advancement. The agency has a great interest in using the skills and abilities acquired in service as a CA as effectively as possible. These interests do not compete; they coincide.

What kind of job training should a CA pursue, either for immediate job performance or for long-term career development? Since a CA is frequently selected because of recognized expertise in the function he or she will perform for the Commissioner, the need for training related to immediate job performance may be limited.⁴ Training for long-term career development, however, is another matter altogether. CAs who were previously on a particular development track, such as the agency SES Candidate Development Program, should continue on that track. CAs whose long-term goals are Senior Level technical positions should be on, and stay on, equally substantial individual training programs. Commissioners themselves have consistently recognized the importance of these programs, and have supported their CAs' participation.

⁴There is a notable exception. A CA brought in from outside the agency should take advantage of several training courses (e.g., NRC and Its Environment) to get up to speed on the inner workings of the NRC.

Commissioners have also consistently supported rotational assignments, a form of training that is central to preparing for re-entry to the staff. For a senior CA whose assignment is continuing beyond 2-3 years, rotational assignments can be extremely valuable.

Rotational assignments to the staff accomplish three important objectives: (1) they revitalize a CA's contacts with the staff; (2) they provide CAs opportunities to develop and exercise skills, particularly supervisory and management skills, that are not called for in the CA role; and (3) they provide CAs opportunities to showcase the relevance and value of developed skills, such as broad perspective policy development and analysis, in the context of accomplishing staff assignments. CAs also usually return from such rotational assignments with some "hands on" perspectives that are useful to the Commissioner.

The value of these rotations can hardly be overemphasized. While a CA may feel as if he or she is in constant contact with the inner workings of the agency, the career staff may view the CA quite differently (i.e., the view from the bottom may be quite different than the view from the top). This difference in perspective is inherent in the nature of the CA's position. Few managers, let alone the working-level staff, are familiar with what CAs actually do. The CA's interactions are frequently spread out over the entire agency; for any particular office, therefore, contact with the CA may be sporadic

and, depending on the CA's individual style, may reveal very little about the CA's range of capabilities. By contrast, while on rotation, the direct, daily contact with the staff in the working environment of the particular office selected not only provides opportunity for individual development and sustained self-assessment, it also allows managers in the selected office the opportunity to assess the individual's performance and suitability for later assignments. As a result, these rotations are the most constructive specific steps that exist to prepare a CA to return to, or join for the first time, the career staff.

Finally, while training and rotational assignments are important aspects of career development as a CA, continued communication of expectations should also be emphasized. As when first joining the Commissioner's staff, CAs should periodically review their career development plans with the Commissioner and with senior agency managers (including a mentor) during the course of their assignment, so that all involved continue to have the same long-term expectations.

VI. Returning to the Career Staff

The smooth re-entry of a CA into the career staff is the product of a good foundation laid at the beginning of an assignment, forward-looking activities during the assignment, and careful coordination at the end of the assignment. NRC program managers, together with the CA, will be responsible for identifying the CA's follow-on assignment. These managers, therefore, must know and understand the capabilities and experience of the CA.

The importance of having a comprehensive career development plan at the beginning of the assignment has been pointed out above. As stated, that plan should have been developed in consultation with the agency managers who now will have a role to play in re-entry decisions, and should have identified the expectations for the future shared by the CA and the managers. It should now provide the frame of reference for a specific re-entry strategy. In addition, if a mentor was established early on, and frequent interaction occurred throughout the assignment, the mentor will obviously be of great value in facilitating the return process.

The translation of career plans and expectations into specific placement activities should begin no later than 6 months before the planned return date to the staff. At that time, a number of steps should occur:

First, personnel representatives should meet with the CA to go over the placement ground rules as they relate to her or his individual case. This will vary, depending on the positions and grade levels at which the CA has eligibility for placement, the applicability of salary protection rules, and so forth. The personnel representative and the CA should lay out a specific schedule for the succeeding activities, and agree on a mechanism for comparing notes as the process unfolds.

The CA should meet with the EDO and other senior agency officials to discuss re-entry options. These interviews will likely lead to the identification of staff areas and plans for additional meetings.

On a parallel course, personnel representatives will monitor upcoming placement activity for suitable positions. They will discuss with managers staffing needs for which CA experience would be desirable. As specific placement opportunities emerge, they will provide advice and assistance to the CA on the preparation and submission of effective application materials.

The process is likely to be interactive: discussions, followed by specific initiatives, followed by reconsideration of alternatives, followed by new initiatives. The process is also likely to require equal parts of patience and realism. Options may be limited by factors unforeseen at the start of a CA assignment. Ultimately, however, an NRC employee can look forward to a follow-on career that is richer, more rewarding, and more valuable to the agency mission for having included a tour of duty as a Commissioner's Assistant.